

## Exhibit A

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re Terrorist Attacks on September 11, 2001

03 MDL 1570 (RCC)  
ECF Case

This document relates to:

*Burnett, et al. v. Al Baraka Inv. & Dev. Corp, et al.*, No. 03-CV-5738 (RCC)  
*Burnett, et al. v. Al Baraka Inv. & Dev. Corp, et al.*, No. 03-CV-9849 (RCC)  
*Euro Brokers, Inc., et al. v. Al Baraka Inv. & Dev. Corp, et al.*, No. 04-CV-7279 (RCC)  
*World Trade Ctr. Prop., et al. v. Al Baraka Inv. & Dev. Corp, et al.*, No. 04-CV-7280 (RCC)

**AFFIRMATION OF RAYNER M. HAMILTON  
IN SUPPORT OF AHMED ZAKI YAMANI'S REPLY MEMORANDUM**

STATE OF CONNECTICUT            )  
  ) ss.:  
COUNTY OF FAIRFIELD            )

Rayner M. Hamilton, being duly sworn, hereby affirms as follows:

1. I am a member of the Bar of this court and am counsel for defendant Ahmed Zaki Yamani in connection with the within litigation. This Affirmation is submitted in response to the statements contained in Plaintiffs' Memorandum in opposition to defendant's Motion to Vacate Defaults and Dismiss the Claims Against Him to the effect that defendant's representation that he was unaware of Claimants' purported Rule 12(e) filings on September 30, 2005 "is just not credible." Opp'n at 8.

2. I wrote to Liaison Counsel to Plaintiffs' Executive Committee, which includes opposing counsel on this motion, on February 25, 2005, advising Plaintiffs, *inter alia*, that I was

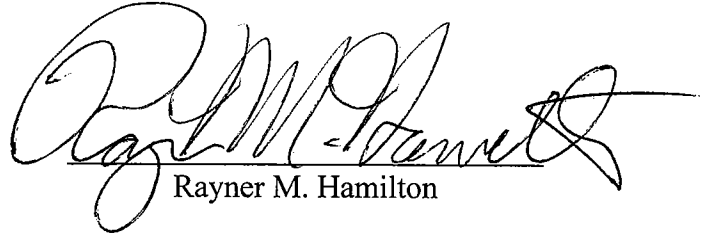
attorney for defendant and making the requests indicated in that letter. *See* Mem.at Ex. A. Plaintiffs defaulted on their obligation to file the requested more definite statement under Rule 12(e) within thirty days as required by Paragraph 12 of Case Management Order #2. Indeed, Plaintiffs' counsel did not respond to or even acknowledge my letter at all.

3. I did not see, and was not aware of, the purported Rule 12(e) statements belatedly filed by Plaintiffs on September 30, 2005. I had assumed, wrongly as it turned out, that having contacted Plaintiffs' counsel and advising them of my representation of defendant, they would serve me or provide me with direct notice of any action taken by them implicating my client.

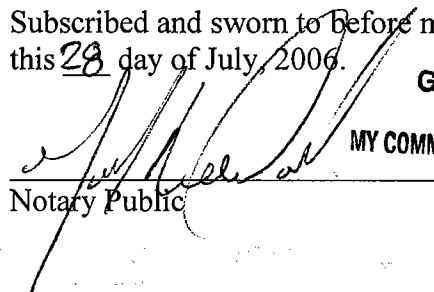
4. On April 14, 2006, I received a telephone call from defendant's office in London advising that Nancy H. Dutton, an attorney for the Saudi Embassy in Washington, had called them to advise that the Plaintiffs in these actions were seeking to obtain a default against Mr. Yamani. I subsequently spoke to Ms. Dutton who confirmed this and advised me of Mr. Haefele's letter to the Orders and Judgment Clerk dated April 4, 2006 seeking entry of a default. My letter to Mr. Haefele dated April 17, 2006 (Mem. at Ex. B) and email of April 21, 2006 (Mem. at Ex. C) followed. I then obtained a copy of Plaintiffs' Rule 12(e) filings of September 30, 2005, which were buried among approximately 64 filings made by Plaintiffs on September 30, 2005. Moreover, the *Burnett* Plaintiffs' more definite statement as to Mr. Yamani is merely one paragraph out of 139 paragraphs in a more definite statement as to 56 other defendants. Likewise, the *Euro Brokers* and *World Trade Center Properties* Plaintiffs filed a single more definite statement against 20 defendants that contains only one paragraph out of 58 about Mr. Yamani.

5. Prior to this time, April, 2006, I had no knowledge of the Rule 12(e) filings made by Plaintiffs on September 30, 2006 which purported to provide "a more definite statement" as to

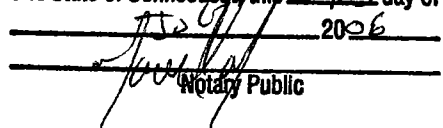
Mr. Yamani. Plaintiffs' counsel never sent those filings to me, as requested by my February 25, 2005 letter. I am advised by Mr. Yamani's office that neither they nor Mr. Yamani had any knowledge of these events and filings until they received the indicated call from Ms. Dutton.

  
Rayner M. Hamilton

Subscribed and sworn to before me  
this 28 day of July, 2006.

  
Notary Public

**GRANT R DAVIDSON**  
**NOTARY PUBLIC**  
**MY COMMISSION EXPIRES JUNE 30, 2009**

Subscribed and Sworn to before me, a Notary  
Public, in and for County of SAN JUAN  
and State of Connecticut, this 28 day of  
JULY 2006  
  
Notary Public